

matter of common knowledge that Saunders was a "political boss," and expressed his belief that Yoder was engaged in "political work." He said Yoder had agreed to accept contributions to aid in defraying the cost of his defense. Rev. Henry P. Atkins, president of the Anti-Saloon League of Virginia, testified that from what he had heard, Mr. Saunders' general reputation was bad.

The surprise of the morning came when Mr. Meredith, counsel for Yoder, left the bar and took the witness stand to make a personal statement in regard to his employment by Mr. Bemiss as counsel for the Traction Company. Saunders and Manning had been employed as lobbyists. He described the night made by the Traction Company for entrance into Main Street, but denied that he had told Mr. Manning that he should receive compensation for his services, and said that he knew nothing personally of what services were rendered by the lobbyists, E. L. Bemiss, at that time head of the Traction Company, said Mr. Meredith's statement was correct, and added that he himself had no knowledge of any improper acts or that any one in his employ was guilty of anything improper.

Williams' Testifies.
Rufus C. Williams, senior member of the Williams Printing Company, party to the suit, took the stand and told of the original bids for the printing of the Yoder pamphlet. As to his relations with Saunders, he said they had been friendly; that Saunders had asked him to vote for him when Edward L. Ryan was opposing him for the committee.

"He told me once," added Williams, "that he made more money from politics than he did from printing." Williams said he had stopped printing the Yoder pamphlet to avoid the notoriety. The witness insisted that he had no malice against Saunders, but in answer to a direct question said he had never offered to make any apology or retraction for the article distributed. He was never the publisher of the paper, he said, merely the printer, and at times had not known what was in the "copy" furnished. On cross-examination Williams reiterated his friendship for Saunders, but admitted that he had considered him a "political boss."

"Did you tell Dr. Carrington a few days ago that you were looking for evidence against Saunders, as Yoder did not have proof of his charges?"

"I think I said I wanted proof in case Yoder did not have it," answered the witness.

Yoder was then placed on the stand, and remained under a sharp fire of cross-examination throughout the afternoon session. He was still in the witness chair when the court adjourned until this morning at 11 o'clock.

Yoder Takes Stand.
At the outset Yoder said that everything he had published about Saunders had been based on what he regarded as reliable information, and that he bore him no personal ill-will. He said he was not a politician, but in leading such a pamphlet at all aroused a storm of cross-firing between counsel. Later Yoder acknowledged the authorship of certain articles, and assumed the whole responsibility for the publication, which was made by Mr. Meredith, but within reasonable limits the court ruled that questions might be asked to show the reliability of the witness and the policy and purpose of his publication.

Which reference was made to Anthony Griffith as a "policy king," with the implication that Saunders, who is the partner of Griffith in the dairy business and who with him owns a string of race-horses, might have been influenced by Griffith's alleged policy interests. The witness said his description of Griffith as "policy king" was based on general reputation, for the same reason that he had called Saunders a boss. He had not said in his pamphlet that the term "policy king" was used when he came here.

In answer to a series of questions, Yoder said that his office was at 901 Capitol Street, that he rented it from J. Marshall Atkinson, at one time proprietor of the hotel; that he had lived at the Park for about three months after coming to Richmond; that he had known Marshall Atkinson for about ten months, but only intimately since coming here. Atkinson, he said, had come to see him in Lynchburg in reference to coming to Richmond, and moving his office of publication from that city to this.

"Did you have promise of financial support from Marshall Atkinson?" asked Mr. Scott.

"I borrowed money from him with which to move and start publication of my paper here."

"He is the man whose bar license was taken away on conviction of his having sold liquor to a boy and girl under age?"

"I object," interposed Mr. Meredith, and the jury retired while the question was argued. Mr. Scott wanted the witness to retire also, but the court ruled that Yoder, being a party defendant, had a right to remain in the courtroom at all times. Yoder, on the question being raised, declined to go, and Mr. Scott said it would be no use to follow the proposed line of questioning "if the witness knows in advance what I am driving at."

The jury was brought back and an article, headed "Marked for Slaughter," was read. It contained the names of Clyde Saunders, W. P. Leaman, Morgan R. Mills, Gilbert K. Pollock, and others, and one named had been blacked or smudged out after the printing.

"Who rubbed that out?"

"I object," said Mr. Meredith.

"Was it not the name of Chris Manning?"

"I object," repeated the attorney.

"Did you rub it out at the request of J. Marshall Atkinson?" Again came objection before the witness could answer.

"Didn't you rub it out at the request of Atkinson, because Manning had agreed to help Atkinson to recover his bar license?" Another objection followed, and was sustained.

"Didn't you appear in the Hastings Court and testify and use your best efforts to get Atkinson's license restored after it was taken away because he sold liquor to minors?" gain came the objection, and Mr. Scott noted exceptions in each case.

Moved Here From Lynchburg.
Taking up another line of questioning, he brought out that Yoder had been in Lynchburg since July 4, 1909, first in Lynchburg, and since June, 1909, in Richmond; that he made his living out of the sale and was dependent on it for his support. Many questions were asked to bring out

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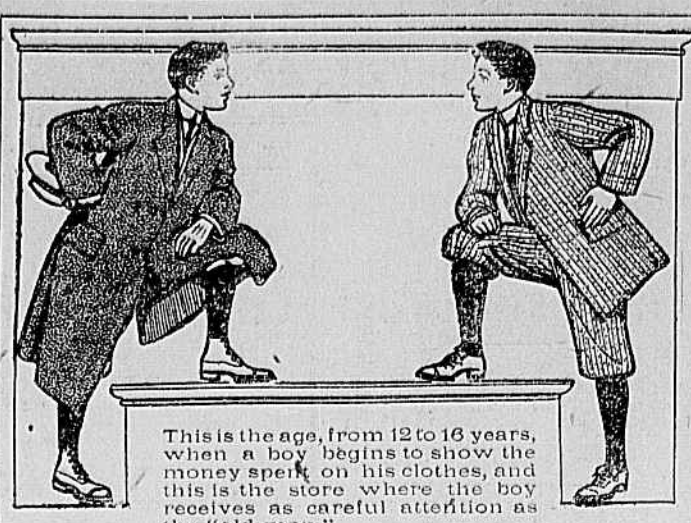
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There's a feast here in fine clothes for boys at prices shamefully low!

Like this:

\$2.75 for Suits and O'cents formerly \$3.50 and \$4.00
\$3.50 for Suits and O'cents formerly \$5.00 and \$6.00
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\$5.75 for Suits and O'cents formerly \$8.50 and \$9.00
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Girls find a pretty steady use for Reefers until well into the spring; and then there's another winter coming.

Considering this, our Reefers prices are very attractive just now.

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All sizes up to 16 years.

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whether the articles referring to Mr. Saunders were a fair sample of the policy of the publication. Yoder replied that some of the articles referred to men and some to conditions. He was not attacking men, he asserted, but attacking evil, and acting for the common good.

"And for your own good in particular?"

"But isn't your living dependent on it? The more sensational you make it the more you make?"

"Not necessarily. Sometimes sensational statements only lead to damage suits."

"Defamer of Character."

"Now let me ask you, are you not a professional defamer of character for the purpose of making a living?"

"I have never defamed any man."

"Do you not make it a part of your business to attack men in public prints as a part of a crusade against evils which you imagine to exist?"

"Which I know to exist," was the answer.

"Do you know of your own knowledge of any fact where Mr. Saunders has been guilty of a corrupt act?"

"There was no direct answer, and the attorney pressed on to ask the editor whether he ever saw with his own eyes or heard with his own ears, or saw any writing signed by Saunders that would prove him a corrupt man."

The writer again evaded a direct answer.

"Then your charges are mere hearsay."

"No. They were based on grand jury proceedings, reports of committees, sworn evidence, the telephone franchise investigation and other things."

The witness later admitted that he had not read the files of the Richmond papers covering those investigations at the time he wrote the articles about Saunders and Leaman, saying that he had "gone to the files and looked up the record."

Witness admitted that an article published on election day was designed to show Saunders up as a "corruptionist and boss."

"You claim to be a moral man, with no purpose to unnecessarily defame any man. We are to infer then that when you attack a man, he is a political crook or rascal?"

"Not necessarily."

"There was a long line of questioning as to the contracts for printing the pamphlet on which Saunders and Leaman had each bid, and then as to what was meant by the term 'Saunders' committee,' referring to the City Democratic Committee. Witness said he did not mean that the committee belonged to Saunders, or that he dominated it, but that it was the committee of which Saunders was subaltern."

As to City Committee.

"That was the committee you later spoke of as the 'seat of political corruption'?"

"Yes."

"What act within your knowledge has the committee ever done that was corrupt? Had you ever been present at a meeting of the committee when that article was written?"

"No. I understood they were secret. I never saw with my own eyes any corruption in the committee, and did not refer to any specific act."

"Then you based your article on somebody's statement about you?"

"Yes. Sometimes I know a thing without having seen it."

"Or imagine it?"

"No; I have it on statements of others."

"I see you ask the question in your pamphlet, 'Why is it that clean men corrupt?' and you say 'in Richmond.' Do you mean to charge that there are no clean men in office?"

"No; I haven't said that."

"The next charge is as to the 'dirty ring.' Who belonged to it?"

"I don't know who belonged to it. They have no secretaries."

"In your article you assert that elections have been stolen in Richmond, and that the present policy of the committee shows that election will be stolen this year. Where did you get that information?"

"It was because of the appointment of improper men to hold the elections."

"Then you make the charge without any proof whatever that there is in the committee 'graft of the worst description'?"

"Their acts, which were criticized in the article, led to that belief. The corruption of the committee is a matter of common knowledge. Grand jury records show that elections have been stolen here. The investigations, reports and street talk were enough to make me absolutely know that there is corruption."

"Now as to the article on which the suit is based: do I understand in that article that you did not intend to charge Saunders with political corruption?"

"The article speaks for itself."

No Direct Answer.

"It speaks of Saunders as the boss, and Leaman as his lieutenant, and goes on, 'Than whom Richmond has never been cursed with men more dangerous to the cause of purity and civic right-'

eousness.' Did you intend to charge him with being a corrupt political boss?"

"No. But the article speaks for itself. I reiterate every word of it."

The witness again evaded a direct answer to the question as to whether it had been intended to charge that Saunders was a "corrupt political boss."

Finally he said: "I mean to say that I think him a corrupt political boss. But when you ask me what the language of the article means, it must speak for itself," which was followed by a long controversy over the meaning and intent of the article. Mr. Scott wanted to know whether there was reference to Mr. Saunders when the editor spoke of "all the powers of darkness," and the witness admitted that he had had Saunders in mind, together with others.

The article on Griffith as "Policy King," which charges Saunders with having protected Griffith, and mentions Griffith, Leaman, Saunders and Ferrandini as "bar keepers, ex-bar keepers or partners of bar keepers," concluded: "Do you see any graft there?"

What Is Graft?

Mr. Scott went on to read the election day article, in which Saunders was charged with being a "political lobbyist and grafter."

"Don't you know that the common acceptance of the term 'graft' is a corrupt and dishonest man?"

"Some don't seem to think it dishonest," answered Yoder. "I think it both corrupt and dishonest. But when I used the term 'graft,' you must remember that it means one thing to one man and another to others. I didn't charge him with being dishonest and corrupt. I merely charged what is said in the article—that he was a grafter."

"You used the word which you thought means that he was dishonest and corrupt, and would be so understood by your readers?"

"I did not mean to charge him with being dishonest or corrupt. To my mind, a grafter must necessarily be dishonest and corrupt, but Mr. Saunders may not have so regarded it."

"Then the man you call a grafter is, in your estimation, necessarily dishonest and corrupt?"

"Yes."

Fought Harder After Suit.

The witness admitted that after the institution of the suit by Saunders, he had become more vigorous and pointed in his denunciations; that he wished to show that he had cause for what he had said, and to put the facts before the people.

"You intended to expose him to the full limit with the object of helping you in your suit?"

"Yes. The special object of that article was to beat him in the election, but the occasion of the suit made me look after him especially."

"Then after his defeat at the last election, and when he was no longer a candidate before the people, your publication was directed to preparing the public mind for your side of your law suit?"

"To some extent, yes."

"Then you were trying to prejudice the public mind against Mr. Saunders by way of preparing your defense?"

"No."

About Fixing the Jury.

"What about the article discussing the suit, in which you say: 'He need not count on friends on the jury. We will see to that.' What have you done about seeing to the jury?"

"It wasn't necessary. I don't think it damaged Mr. Saunders any. I don't know enough about Clay Ward politics to say whether it was what we printed that beat him or not. We tried to."

Another article was quoted as to delay in the trial of the suit.

"You didn't trouble yourself to inquire and ascertain that your own

MINIATURE ALMANAC.

Sun rises... 7:13

Sun sets... 5:35

Moon rises... 2:49

High tide... 12:07

Low tide... 12:32

Forecast: For Virginia and North Carolina—Fair and somewhat colder Friday; Saturday, fair; brisk northwest and west winds.

CONDITIONS YESTERDAY.

Barometer... 43

Humidity... 109

Wind, direction... S.W.

Wind, velocity... P. cloudy

Weather... 49

Accum. excess in temperature... 37

Deficiency in rainfall since March 1... 6.93

Place. Ther. H. T. Weather.

Charlotte... 44 Rain

Washington... 46 Rain

Baltimore... 46 Rain

Ashville... 38 Rain

Norfolk... 41 Rain

Havana... 56 Rain

San Francisco... 56 Rain

San Francisco... 56 Rain

San Francisco... 56 Rain

San Francisco... 56 Rain

counsel had asked the delay and that Mr. Saunders' counsel was pressing for a hearing.

"No."

Mr. Meredith said it was a fact that he had asked the continuance. The court adjourned for the night, with Yoder still on the stand. A large number of witnesses are yet to be heard.

KILLS GIRL HE LOVES

Persian Fanatic Murders Fellow Student at Communist Suite.

Baltimore, Md., February 3.—Leaving behind him two rather rambling and incoherent letters, Elijah Baba Badal, a Persian, thirty-one years of age, a student at the University of Maryland School of Medicine, died at noon today and instantly killed Miss Marie Lewsen, twenty-four years of age, of Portland, Me., a student of dentistry at the same institution, and then shot himself, dying shortly afterward. The letters, which were enclosed in an envelope addressed to the suicide's mother, were found in a room at 177 West Ninth Street, Des Moines, Ia., where he was found in an inner pocket of Badal's clothing.

One of the letters bore date of January 19, and the other that of January 25. They told of Badal's love for Miss Lewsen, and his belief that she was in love with him. He said he was poisoned against the Persian by a boarding-house mistress who came between them, the letters state.

The tragedy occurred at a boarding-house in West Fayette Street, just after the pair had finished their holiday luncheon. Badal, formerly attended the Harvard Medical School, and Miss Lewsen at one time was a student at a dental school in Chicago.

MERGER OF TWO BANKS.

Wachovia Bank and Trust Company Formed With Capital of \$1,000,000.

[Special to The Times-Dispatch.]
Winston-Salem, N. C., February 3.—An announcement was made today that the Wachovia National Bank with capital of \$500,000, and the Wachovia Loan and Trust Company, with authorized capital of \$500,000, will be consolidated under the name of the Wachovia Bank and Trust Company. The consolidated bank will have a capital of \$1,000,000, with surplus of at least \$250,000. Its home will be in a eight-story building, the contract for which was awarded several weeks ago by the Wachovia National Bank.

HONOR SERGEANT POWERS.

U. S. Army Officer Entertained by Danville Light Infantry.

[Special to The Times-Dispatch.]
Danville, Va., February 3.—The members of the Danville Light Infantry held an evening social at the Danville Hotel in honor of Sergeant M. Powers, of Company D, First Infantry of the United States Army, who is on duty at the Danville Arsenal. The local military on the fine points of military tactics, new rules, etc. The local company of the company are Captain, Howard W. Raines, Second Lieutenant, R. S. Phifer, Jr.

ACQUITTED OF MURDER.

Frank Welch Is, However, Sentenced to Prison on Charge of Murder.

[Special to The Times-Dispatch.]
Bluedon, N. C., February 3.—Frank Welch, charged with the murder of Henry Mosby, of Culpeper, Va., at Jester in December, was tried in the McDowell County Criminal Court and found not guilty. He was then arraigned on the Johnson place law charge, and was found guilty and sentenced to six months in jail and \$25 fine.

SMALLPOX IN LYNCHBURG.

Eight Cases Discovered in Different Parts of City.

[Special to The Times-Dispatch.]
Lynchburg, Va., February 3.—The Health Department of the city late yesterday afternoon and today discovered eight smallpox cases in different parts of the city. The epidemic being in its apical stage, the Health Department has had to deal with for some years.

These patients were all hurried to the smallpox hospital, in Rivermont, and all of the houses in which they came from have been fumigated. The department has taken the precaution to prevent further trouble from the sources. All of the patients are negroes.

CHARTERS BY STATE.

[Special to The Times-Dispatch.]
Richmond, Va., February 3.—Charters were issued today for six new corporations, one being the Kingston Carolina Railroad and Lumber Company, capital \$25,000, for taking over the bankrupt estate of the Kingston Lumber Company. The incorporators are E. B. Lamb, general manager of the Norfolk and Southern Railroad; W. B. Roper, Mathias Manly and William Hayes.

The other new corporations follow: Machinery Exchange, Inc., Fayetteville, N. C., capital \$25,000, by J. G. Humphreys, L. Curran and J. H. Humphreys; L. Curran and J. H. Humphreys, for machinery, lumber and mercantile business; Patten Package Company, Calypso, Duplin county, capital \$4,000, by W. F. Patten and others; the Griggs Mercantile Company, Ansonville, capital \$50,000; the Surry Chair Company, Elmira, capital \$25,000, by J. H. Humphreys and others; the Carolina Building and Hardware Company, Aulander, capital \$25,000.

BARN AND CONTENTS BURNED.

[Special to The Times-Dispatch.]
Wilmington, Va., February 3.—A large barn and implement shed at Wilcox Neck, Charles City county, belonging to T. M. Carrington, of Richmond, was burned Monday, with its contents, including feed and implements. The loss is \$2,000, partly covered by insurance.

R. W. Gregory, the manager, was slightly burned in trying to put out the fire, the origin of which is unknown.

INTERMEYER A NATIVE OF LYNCHBURG.

[Special to The Times-Dispatch.]
Lynchburg, Va., February 3.—Samuel Untermyer, the New York lawyer, who was paid a fee of \$75,000 for his services in connection with the recent merger of the Utah Copper Company and the Boston Consolidated Mining Company, which is said to be the largest fee ever paid a lawyer, is a native of Lynchburg, having been raised and educated in this city. He is a half-brother of Randolph Guggenheimer. Mr. Untermyer's family left Lynchburg in 1866.

BOSON—FREEMAN.

[Special to The Times-Dispatch.]
Greene, Va., February 3.—Miss Nellie Freeman and Lawrence Boson, two quiet, married at the home of J. H. Hines Wednesday evening. Miss Christiana Jarvis was maid of honor. Rev. J. Rosser, of the Baptist Church, performed the ceremony. They will make their home near Burkeville.

WARREN—DUBB.

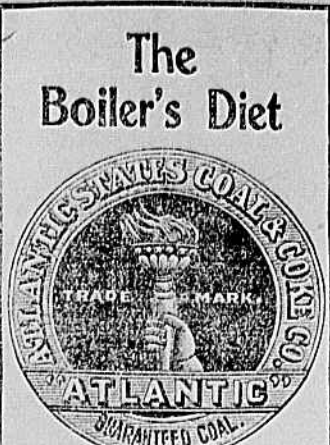
[Special to The Times-Dispatch.]
Baltimore, Md., February 3.—Miss Georgia Anna Dunn and James A. Warren, both of Surry, Va., went to Rockville, Montgomery county, today, and were married by Rev. S. R. White, of the Baptist Church. A religious ceremony the couple left for Washington.

MOTHER SEES SON DROWN.

[Special to The Times-Dispatch.]
Norfolk, Va., February 3.—William Gray, thirteen-year-old son of Mr. and Mrs. Gray, drowned in the Chesapeake Bay.

PURSE LOST IN 6 TO 14 DAYS.

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